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IFW AFK 1617 \$

DOCKET NO.: BMS-2027 (PH-7176)

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**PATENT**  
**REPLY FILED UNDER EXPEDITED**  
**PROCEDURE PURSUANT TO**  
**37 CFR § 1.116**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re Application of:**

**Shuang Liu, John A. Barrett and  
Alan P. Carpenter**

**Confirmation No.: 5136**

**Application No.: 09/899,629**

**Group Art Unit: 1617**

**Filing Date: July 5, 2001**

**Examiner: Shengjun Wang**

**For: Stable Radiopharmaceutical Compositions And Methods For Preparation  
Thereof**

**EXPRESS MAIL LABEL NO: EL568087508US**  
**DATE OF DEPOSIT: September 9, 2004**

**EL568087508US**

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **April 15, 2004** finally rejecting claims **19-22, 30-33, and 35-39** of the above-identified patent application.

The item(s) checked below are appropriate:

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as

09/13/2004 WABDELRI 00000011 09899629

01 FC:1401  
02 FC:1252

330.00 OP  
420.00 OP

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PROCEDURE PURSUANT TO  
37 CFR § 1.116

- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of April 15, 2004 to and through September 15, 2004 comprising an extension of the shortened statutory period of two (2) months.

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$165	\$	\$330	\$330.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$0
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$210	\$	\$420	\$420.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$475	\$	\$950	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$740	\$	\$1480	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1005	\$	\$2010	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$ )	minus	(\$0)
TOTAL FEE DUE		\$0		\$750.00

- ☒ A check in the amount of **\$750.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$        .00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

Date:

Sept. 9, 2004

  
Brian J. Hubbard

Registration No. 45,873

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